



MINUTE SUMMARY
MEETING OF THE EDINA PLANNING COMMISSION
WEDNESDAY, DECEMBER 30, 2008, 7:00 PM
EDINA CITY HALL COUNCIL CHAMBERS
4801 WEST 50TH STREET

MEMBERS PRESENT:

Risser, Scherer, Staunton, Schroeder, Fischer, Grabel, Forrest, Schnettler, Lonsbury

MEMBER ABSENT:

Brown

STAFF PRESENT:

Cary Teague and Jackie Hoogenakker

I. APPROVAL OF THE MINUTE SUMMARY:

The minutes of the November 26, 2008, meeting were filed as submitted.

II. NEW BUSINESS:

2008.0012.08	Overall Development Plan and Preliminary Rezoning YMCA 7355 York Avenue South, Edina
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Presentation by Planner

Planner Teague reminded the Commission that this item was tabled at the October 1, 2008 Planning Commission meeting, in order for the applicant to address concerns raised by the Planning Commission. Planner Teague reported that among the issues raised, were concerns regarding the site plan, adding the applicant has submitted revised plans to attempt to address those issues to included the elimination of the parking stalls along Xerxes Avenue, which previously required a setback variance, a revised landscape plan to address the streetscape issue in front of the building, and the addition of green space in the rear parking lot.

Planner Teague noted an additional concern was raised in regard to police calls generated from the townhomes to the south. The police department has provided a listing of all calls received since 2002.

Planner Teague concluded that staff recommends that the City Council approve the Comprehensive Guide Plan Amendment from Quasi-Public to Mixed Use, and Preliminary Rezoning from R-1, Single-Dwelling Unit District to Mixed Development District 5. (MDD-5.) Approval would authorize the applicant to apply for an Overall/Final Development Plan, Conditional Use Permit & Variances. Approval is subject to the following findings:

1. The guide plan change is consistent with the adjacent land uses.
2. The apartments are consistent with the multiple family housing developments to the south and west.
3. The guide plan change would be consistent with the public health, safety, and welfare.
4. The City would benefit from a new and improved YMCA facility, and the site would continue with a use consistent with the current Comprehensive Plan designation of Quasi-Public.
5. The affordable housing component would assist in meeting the City's goal of 212 affordable housing units by 2030.
6. The existing roadways would support the proposed project.

Approval is subject to the following Conditions:

1. The Final Development Plan must be generally consistent with approved Preliminary Development Plans dated August 29, 2008 & December 5, 2008.
2. Sustainable design. The design and construction of the entire project must be done with the Sustainable Initiatives as outlined in the applicant's narrative on pages A11 of the staff report.
3. Trail and sidewalk connections must be included as demonstrated on the preliminary plans.
4. All traffic mitigation measures as required by the Transportation Commission and traffic study must be followed.
5. All buildings must be built with sprinkler systems, subject to review and approval of the fire marshal.
6. The temporary parking lot on the park property must be paved and meet all minimum requirements of the city engineer.
7. The temporary parking lot shall be reviewed by the City Park Board during the Final Development Plan process. The applicant would be responsible to construct the temporary lot and restore the park back to its original condition at their cost.
8. Compliance with all of the conditions outlined in the city engineer's memo dated September 24, 2008.

Appearing for the Applicant

Steve Dorgan, Cresa Partners, Greg Fenton, BWB, Rachel Robinson, CommonBond Communities, Steve Korngable, MS Society

Applicant Presentation

Mr. Dorgan addressed the Commission and stated YMCA is very excited about this proposal and has met with neighbors. Mr. Dorgan introduced, Greg Fenton, BWB Architects to give a brief overview of the project.

Mr. Fenton gave a brief presentation explaining that the slightly larger YMCA footprint actually affords more program space with flexibility. Mr. Fenton explained the new building is located on the front of the site to allow the current facility to continue to remain open during construction. The close proximity to York Avenue also gives the building a more urban feel while enhancing the pedestrian experience along York Avenue. Mr. Fenton pointed out the new Y has also been designed with a lot of windows to bring in more light and help reduce building mass. The point of entry is on the east elevation and visitors from the sidewalk along York Avenue won't have to pass through a parking lot, as they do now to gain access to the building. Concluding, Mr. Fenton said it is critical for the operation that the YMCA provides a single access point. This is very important for security reasons.

Rachel Robinson addressed the Commission and reported CommonBond owns and manages South Haven, Yorktown Townhomes and Summit Point, all residences in Edina and for this project has partnered with the MS Society. Ms. Robinson added that all people with disabilities, and the general public, not only those with MS are welcome. Continuing, Ms. Robinson said all units will be designed and built with Universal Design principles with one, two, and three bedroom units, 80% affordable and 20% market rate.

Commission Comments & Questions

Commissioner Grabiell questioned if the proposal as presented would impact the neighboring skate park. Planner Teague responded that there would be temporary parking over park property and when the project is completed the park would return to its original state.

Commissioner Staunton asked what this parcel of land is guided for under the new Comprehensive Plan. Planner Teague responded that the site is guided for Quasi-Public, and no other changes.

Commissioners also raised the following questions with regard to the housing element of the project:

- Are 50% of the units mandated for those with disabilities and who sets the ratio
- Are buildings constructed with “Universal Design principles” attractive to the general public
- How are the units earmarked for those with disabilities? Is it on a first come first served basis?
- Referring to Edina Police reports how would CommonBond address crime-related issues.

In response to Commission questions and comments Ms. Robinson explained that CommonBond abides by the Fair Housing Laws and the goal of CommonBond is to have at least 50% of the units rented to individuals or families with disabilities. Ms. Robinson added CommonBond is not limited to renting 50% of the units to people with disabilities, it can be higher. Continuing, Ms. Robinson said that Universal Designed buildings greatly appeal to the general public because of the open floor plans. With regard to those with disabilities those units would also be accessible units and there is an application process (for all) that includes income verification, credit history, rental history, and criminal background checks. Concluding, Ms. Robinson responded that CommonBond has a very good relationship with the Edina Police Department and is proactive in ensuring that its residents live in a safe and secure environment. Ms. Robinson reported all CommonBond properties have full time managers and reiterated all residents are screened. Ms. Robinson said if there is a problem with any of the residents we get the “wrong” ones out. Concluding, Ms. Robinson stated the building would feature a security system including security cameras and entry code pads.

Public Comment

Chair Lonsbury re-opened the public hearing.

Dan Adkins, 7430 Xerxes Avenue, questioned where the apartment residents would park, especially for quick stops at home. Mr. Adkins stated he hopes if parking isn’t adequate that over-flow parking doesn’t spill onto Xerxes Avenue. Mr. Adkins suggested that security cameras be located in the parking ramp area. Concluding, Mr. Adkins reiterated his concern is with possible parking on Xerxes Avenue and the potential for increased traffic on Xerxes Avenue.

Nina Holiday-Lynch, 4360 Brookside Court, addressed the Commission and told them she completely supports the project, adding it is very important for a community to provide affordable housing. Ms. Holiday-Lynch pointed out the proposed apartment is in the best possible location because of its close proximity to mass transit lines and places of employment.

Mr. Olson, 7457 York Avenue, told the Commission living in the Yorkdale Townhomes has been a blessing for him and his family. He explained living in affordable housing so close to mass transit, and places to work for him and his partner (Target and Macy's) have allowed him to finish school. Mr. Olson said he feels very safe living in Edina and his kids feel safe. Concluding, Mr. Olson asked the Commission to support the project as presented.

Tim Brausen, representing Isaiah, an ecumenical organization, stated he believes this is a great opportunity for Edina to provide affordable housing. He stressed the location is ideal. Continuing, Mr. Brausen said his experience with CommonBond has been positive, adding CommonBond is an organization that provides great, well built, and well managed buildings providing affordable housing throughout the City and State.

Steve Korngable, MS Society, told the Commission the MS Society has an excellent relationship with CommonBond. At present over 200 people with MS are on a waiting list for a good safe place to live. Mr. Korngable said for those with MS the waiting list for an accessible home is two years. Concluding, Mr. Korngable asked the Commission to approve this request, adding how important it is for those with MS to have easy access to water exercises, and other forms of exercise.

Mr. Dennis Guiney, 5924 Olinger Blvd., stated he has been an Edina resident since 1972 and believes there is great value in living in Edina, adding it's a wonderful place to live and raise a family. Mr. Guiney said he would be very proud of Edina if this project were approved. It's a great opportunity to provide others the opportunity to live in Edina. Concluding, Mr. Guiney asked the Commission to approve the proposal as presented.

Continued Commission Discussion

Commissioners raised the following issues with regard to the YMCA building:

- Parking
- "No front door" on York Avenue to access the new YMCA building
- Secured access point and interior circulation of the YMCA building
- Setback hardship

Commissioners clarified that there are 130 enclosed parking spaces (housing) and 435 surface parking spaces. Planner Teague indicated the YMCA has agreed to enter into a Proof of Parking agreement to construct an additional parking deck if the need arose.

A discussion continued with regard to how the new YMCA addresses York Avenue. Commissioners felt more could be done to create a more pedestrian friendly exposure to York Avenue. It was pointed out that the height "cap" east of

York Avenue does create some design challenges; however, creating a pedestrian friendly atmosphere is important and a goal identified by the City. Discussion also focused on the variances needed for the preliminary development plan and hardship with Commissioners acknowledging that the YMCA remaining open could be viewed as a self imposed hardship; however, the YMCA is a community resource that is unique in itself.

Discussion also focused on if the MDD-5 zoning designation is right for this project; however, it was acknowledged that the present R-1 zoning of the site and the present use of the site as a community based resource is difficult to address and find the right formula, it's so unique. The setback requirements for the MDD-5 district also pose a problem for the site, acknowledging MDD-5 requires a smaller tract, greater setbacks, versus MDD-6 with lesser setbacks and larger tract. It was also pointed out that rezoning the site to a PCD-3 zoning classification would open up the project for retail.

Discussion continued on splitting the motion to better address each request. Chair Lonsbury clarified that this request will be heard again by the Commission, adding both preliminary rezoning and preliminary development plan approval require another hearing before the Commission. Chair Lonsbury also noted the requested variances also require a hearing before the Edina Zoning Board of Appeals at one of their regularly scheduled meetings.

Commission Action

Commissioner Fischer moved to recommend that the City Council approve the Comprehensive Guide Plan Amendment from Quasi-Public to Mixed Use, and Preliminary Rezoning from R-1, Single-Dwelling Unit District to Mixed Development District 5. (MDD-5.) Approval would authorize the applicant to apply for an Overall/Final Development Plan, Conditional Use Permit & Variances. Approval is based on the following findings:

- 1. The guide plan change is consistent with the adjacent land uses.**
- 2. The apartments are consistent with the multiple family housing developments to the south and west.**
- 3. The guide plan change would be consistent with the public health, safety, and welfare.**
- 4. The City would benefit from a new and improved YMCA facility, and the site would continue with a use consistent with the current Comprehensive Plan designation of Quasi-Public.**
- 5. The affordable housing component would assist in meeting the City's goal of 212 affordable housing units by 2030.**
- 6. The existing roadways would support the proposed project.**

Approval is also subject to the following Conditions:

1. **The Final Development Plan must be generally consistent with approved Preliminary Development Plans dated August 29, 2008 & December 5, 2008.**
2. **Sustainable design. The design and construction of the entire project must be done with the Sustainable Initiatives as outlined in the applicant's narrative on pages A11 of the staff report.**
3. **Trail and sidewalk connections must be included as demonstrated on the preliminary plans.**
4. **All traffic mitigation measures as required by the Transportation Commission and traffic study must be followed.**
5. **All buildings must be built with sprinkler systems, subject to review and approval of the fire marshal.**
6. **The temporary parking lot on the park property must be paved and meet all minimum requirements of the city engineer.**
7. **The temporary parking lot shall be reviewed by the City Park Board during the Final Development Plan process. The applicant would be responsible to construct the temporary lot and restore the park back to its original condition at their cost.**
8. **Compliance with all of the conditions outlined in the city engineer's memo dated September 24, 2008.**

Commissioner Forrest seconded the motion.

Commissioner Grabel pointed out that the City has gone to great lengths in requiring past applicants proposing housing developments to provide affordable housing units in their projects. Commissioner Grabel pointed out this project offers affordable housing which should be positively viewed and which is something the City has encouraged in the past.

Commissioner Grabel moved to recommend Preliminary Development Plan Approval including variances based on staff findings and subject to staff conditions. Commissioner Risser seconded the motion.

Commissioner Schroeder offered an amendment to the motion suggesting that the building design be modified to address York Avenue to meet the spirit of the ordinance that grants setback relief that encourages a project to create a more active pedestrian involvement. Commissioners Grabel and Risser accepted Commissioner Schroeder's amendment.

Commissioner Scherer strongly encouraged the applicant to modify their design to better address the proposed buildings access point by making it more visible to pedestrians.

Commissioner Grabel pointed out that the entrance to the proposed YMCA building is roughly the same distance from the sidewalk as visitors' experience today. Commissioner Grabel also pointed out with regard to the requested

variances that the City recently granted variances for a housing and commercial development along 69th Street and York/Xerxes.

Member Fischer commented that it was mentioned that the YMCA remaining open could be considered a self imposed hardship; however, in a sense the YMCA should remain open because it's an area resource which is the reason for the present R-1 zoning designation. Commissioner Fischer pointed out the uniqueness of the R-1 zoning for this site, adding the R-1 zoning of the site could be viewed as a hardship. Continuing, Commissioner Fischer said the 50' setback required could be considered out of scope and scale compared with the setbacks found in the MDD-6 zoning district. Concluding, Member Fischer also said in looking at all the details it's easy to forget that this is conceptually a good project.

Chair Lonsbury called for the vote. All Commissioners voted aye. Motion carried.

**2008.0014.08a Final Development Plan
Mortenson Development/Wayzata Properties
7701 Normandale Road, Edina**

Planner Presentation

Planner Teague told the Commission Mortenson Development on behalf of Wayzata Properties is requesting a Final Development Plan and a parking stall variance of 100 stalls for Phase 1 of the Gateway Development. The specific request is to tear down two of the existing pentagon tower office buildings and build a new 7-story, 150-room, 80,000 square foot Starwood Hotel at 7701 Normandale Road.

Planner Teague noted the proposed plans are consistent with the approved Preliminary Development Plan approved for this site as part of the Gateway Overall Development Plan. .

Planner Teague concluded staff recommends approval of the Final Development Plan and parking stall variance to tear down two office buildings and build a new 7-story hotel at 7701 Normandale Road for Wayzata Properties based on the following findings:

- 1) With the exception of the variance, the proposal would meet the required standards and ordinances for a Final Development Plan.
- 2) The Final Development Plan is consistent with the approved Preliminary Development Plan.

- 3) The proposal meets the required standards for a variance, because:
 - a. The proposed use is reasonable. It provides a reasonable on-site parking for the hotel and existing office buildings, based on the parking study that was performed by Kimley-Horn.
 - b. The proposed hotel is Phase 1 of an Overall Development Plan for the site that includes new office buildings and parking ramps.
 - c. Upon full build out of the approved Overall Development Plan, there would be no shortage of parking on the site.

Approval of the Final Development Plan is subject to the following conditions:

- 1) The site must be developed and maintained in conformance with the following plans, unless modified by the conditions below:
 - Site plan date stamped October 27, 2008.
 - Building elevations date stamped October 27, 2008.
 - Grading & drainage plan date stamped October 27, 2008.
 - Utility plan date stamped October 27, 2008.
 - Landscape plan date stamped October 27, 2008.
 - Lighting plan date stamped October 27, 2008.
- 2) Submit a copy of the Nine Mile Creek Watershed District Permit. The city may require revisions to the approved plans to meet the District's requirements.
- 3) Per Section 850.10. Subd. 3.B of the City's Zoning Ordinance, a letter of credit, performance bond or cash deposit must be submitted in the amount equal to 150% of the proposed landscaping prior to issuance of a certificate of occupancy for the building.
- 4) Compliance with all conditions listed by the city engineer in his memo dated November 18, 2008.
- 5) Compliance with all conditions required by the Transportation Commission.
- 6) All Phase 1 public improvements, per the approved Development Agreement, must be installed prior to issuance of a certificate of occupancy.

Appearing for the Applicant

Chris Hickok, Dan Quail, Mortenson Development

Applicant Presentation

Mr. Hickok addressed the Commission explaining the construction of the 150-room Aloft hotel and the removal of 21,990 square feet of office space is part of Phase I of the Gateway project. Mr. Hickok told the Commission the building

materials from the razed Pentagon Office tower wings will be recycled into the proposed new hotel. Concluding, Mr. Hickok said the hotel will be constructed with sustainable aspects to include water filtration, indoor air quality, white roof, and electric car plug-ins and the approval process will coincide with the Overall Development Agreement with the City.

Comments and Questions from the Commission

Commissioners commented on the exterior building materials and color scheme. Mr. Hickok told the Commission that Aloft hotels are concepts of Starwood, adding there are 30 Aloft hotels nationwide including the one in Minneapolis. Mr. Hickok said there is commonality in the exterior materials and colors used in Aloft hotels.

A discussion focused on the parking and the phasing of the project. The current difficulty in the economy was pointed out and the possibility the entire build-out of the project may not occur. Planner Teague agreed and responded staff considered that, which was the reason staff required a detailed parking study for the project, and a variance hearing to consider a parking variance for Phase I. Concluding, Planner Teague pointed out office and hotel peak times usually don't coincide, pointing out it was reported that the remaining office wings have a 60% occupancy rate.

Public Comment

None

Commission Action

Commissioner Staunton moved to recommend Final Development Plan approval based on staff findings 1, 2 and 3,a.b. eliminate c., and subject to staff conditions 1 through 6 with the additional condition that nine (9) bike stations be added. Commissioner seconded the motion. All voted aye; motion approved.

2008.0007.08b

**Amend Final Development Plan
Mohagen Hansen/Twin Cities Orthopedics
4010 65th St West/6400 France Avenue**

Presentation by Planner

Planner Teague informed the Commission Mohagen Hansen Architectural Group, on behalf of Twin Cities Orthopedics and Southdale Fairview Hospital is

requesting an amended Final Development Plan and driveway setback variances with the following changes:

1. Enlarge the drive entrance on the east side of the building to allow easier and safer turning area into the building. The proposed drive-aisle would encroach onto the property to the east, and therefore, requires a variance to the side property line. The adjacent property owner (Southdale Fairview Hospital) has agreed to the encroachment, and is a co-applicant for the same variance on their property.
2. Revised landscaping along the north lot line. Trees would be planted in the MnDot right-of-way to avoid underground utility lines.
3. Revised storm water storage system.
4. Increase in the parking ramp stair tower height by 2'2" to accommodate structural clearances.
5. Revised building material from architectural precast to brick on the fourth level.

Planner Teague concluded that staff recommends that the City Council approve the amended Final Development Plan at 4010 65th Street West based on the following findings:

1. The amendments do not add any finished square footage to the previously approved plans.
2. The proposed changes to the plans are minimal.

Approval is also subject to the following conditions:

1. The site must be developed and maintained in conformance with the previously approved final development plan unless modified below, the plans listed below and the conditions below:
 - Site plan date stamped November 26, 2008.
 - Grading plan date stamped November 26, 2008.
 - Landscaping plan date stamped November 26, 2008.
 - Building elevations date stamped November 26, 2008.
2. The following must be submitted to the city before the city issues a building permit:
 - a. A final landscape plan for staff approval.
 - b. A copy of the recorded resolution with the county.
3. The property owner is responsible for replacing any required landscaping that dies.
4. Submit a copy of the Nine Mile Creek Watershed District permit. The city may require revisions to the approved plans to meet the district's requirements.
5. An executed cross access easement must be submitted prior to issuance of a certificate of occupancy for the new building.

6. Compliance with the conditions required by the City engineer in his memo dated December 19, 2008.

Concluding, Planner Teague stated staff also recommends that the Zoning Board of Appeals and the City Council approve drive-aisle side-yard setback variances from 10 feet to 0 feet at 4010 65th Street West and 6400 France based on the following findings:

1. There is a unique hardship to the property caused by the size of the approved building on the site, the shape and limited depth of the lot, especially the western half of the site.
2. The site's high water table prevented the parking from being constructed under ground.
3. The site's location adjacent to Crosstown Highway 62.
4. The revised driveway would provide a safe and easy turning radius for delivery trucks driving into the loading area.
5. The intent of the ordinance is to provide separation and green space between lots and uses. This site is unique in that it is part of the Regional Medical District, and there would be a pedestrian connection between the parking ramp for the hospital, and the new building. The appearance would be that these uses function together.

Appearing for the applicant

Mark Hansen, Mohagen, Hansen Architects

Applicant presentation

Mr. Hansen highlighted the changes that have been made to the plans, adding that in his opinion the changes to the driveway/entrance actually enhance the project. Mr. Hansen pointed out the widening of the entrance drive provides a safer entrance and turning radius. Continuing, Mr. Hansen pointed out that planting the trees on MnDot property thereby avoiding utility lines is also positive for the site. Concluding, Mr. Hansen asked the Commission for their support.

Commission Action

Commissioner Fischer moved to recommend revised Final Development Plan approval including variances based on staff findings and subject to staff conditions. Commissioner Grabiell seconded the motion. All voted aye; motion carried.

III. INTERGOVERNMENTAL BUSINESS:

Chair Lonsbury acknowledged receipt of back of packet materials, including a letter from a resident expressing their disappointment at the removal of a very old Oak tree.

Commissioner Fischer told the Commission he recently chaired a Zoning Board meeting that heard a request for a driveway width variance to allow a driveway less than 12-feet in width in the Country Club District. Commissioner Fischer noted the Zoning Code requires at minimum, a 12-foot wide driveway, which conflicts with the Heritage Overlay Districts stance on driveway width. Commissioner Fischer stated he would like staff to review Zoning Code language as it relates to driveway width, not only in the Country Club District, but the City's other small lot areas.

Commissioner Risser informed the Commission as the Commission liaison to the Energy and Environment Commission she has been working with City Staff on drafting a City wide policy addressing not only driveway width but the use of different materials for driveways. Commissioner Risser acknowledged this discussion is in the early stages, however, the goal is to draft language addressing this issue and when completed bring it before the Commission for their input.

Commissioner Forrest, Commission Liaison to the Heritage Preservation Board informed the Commission the Edina Foundation has donated money to purchase materials for a HPB Library. Commissioner Forrest said the materials will be "housed" in two locations yet to be determined. Commissioner Forrest thanked the Foundation for their generosity.

Election of new Chair

Chair Lonsbury stated since this is his last Planning Commission meeting, his term is up, that a new Commission Chair needs to be elected. Chair Lonsbury opened the nominations for Chair.

Commissioner Staunton moved to nominate Mike Fischer as Chair for the Planning Commission.

Commissioner Staunton added that at this time he would like to take the opportunity to thank Chair Lonsbury for his years of service to the community and the Commission. Commissioner Staunton stated he knows that he speaks for all Commissioners that Chair Lonsbury has done a marvelous job in navigating the Commission through many meetings. Commissioner Staunton reiterated the City and Commission appreciate your years of service, and thanked Chair Lonsbury for his service.

Commissioner Schroeder seconded the nomination of Mike Fischer for Chair.

Chair Lonsbury asked if anyone would like to place another name in nomination. Being none, Chair Lonsbury asked for a motion to close the nominations.

Commissioner Staunton moved to close the nominations. Commissioner Scherer seconded the motion. Nominations closed.

Chair Lonsbury stated by acclamation Commissioner Fischer is the new chair – all those in favor signify by saying aye; all voted aye. Michael Fischer is chair.

Chair Lonsbury stated at this time he would like to thank all the Edina Mayors that appointed him to serve on the Planning Commission. Chair Lonsbury also thanked City Staff, and each Commission Member for their support and encouragement. Chair Lonsbury told Commissioners they made his job very easy; they are such a dedicated group that made his job fun and enjoyable.

IV. PUBLIC COMMENT:

None

V. ADJOURNMENT:

Chair Lonsbury moved adjournment! All seconded the motion. Meeting was adjourned at 10:00 PM.

Submitted by